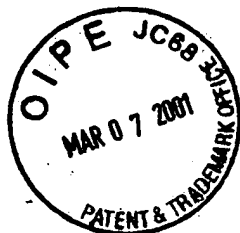


#11/Egt  
8 mos  
Not Appeal



RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2800

Docket No. 35.G2254  
Date: March 7, 2001

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: HIDEO KATO, ET AL.

Application No.: 09/159,775

For: ILLUMINATOR, EXPOSURE APPARATUS, AND METHOD FOR FABRICATING  
DEVICE USING THE SAME

Filed: September 24, 1998

Group Art Unit: 2851

The Commissioner for Patents  
Box AF  
Washington, D.C. 20231

03/08/2001 SSITHIB1 00000121 09159775  
02 FC:117

RECEIVED  
MAR 12 2001  
890.00 DP  
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Sir:

Applicants hereby appeal to the Board of Patent Appeals  
and Interferences from the decision dated September 7, 2000, of the  
Primary Examiner finally rejecting claims 1 through 3, 5 through 9,  
11 through 13, 15 through 19, 22 through 25, 27 through 31 and 34.

The items checked below are appropriate.

03/08/2001 SSITHIB1 00000121 09159775

01 FC:119

310.00 DP

1. ☒ Applicants petition the Commissioner for Patents to extend  
the time for response to the Office Action dated September 7, 2000,  
from December 7, 2000 to March 7, 2001. Submitted herewith is a  
check for \$890.00 to cover the fee for the extension under 37 CFR  
1.17. Any deficiency in or overpayment of this fee should be  
charged or credited to Deposit Account No. 06-1205. A duplicate of  
this paper is enclosed for this purpose.

2. ☐ A Petition for an additional \_\_\_\_\_ month extension of time to take further action, together with the \$\_\_\_\_\_ extension fee under 37 CFR 1.17, was filed on \_\_\_\_\_.

3. ☒ Fee \$310.00

☐ Fee \$155.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

☒ Enclosed


☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
Registration No. 33,326

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New York, New York 10112-3801  
Facsimile: (212) 218-2200

SEW:rlc